

City of Taylorsville  
Planning Commission Meeting  
Minutes  
Tuesday – February 28, 2006 – 6:00 P.M.  
2600 West Taylorsville Blvd – Council Chambers

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**Attendance:**

**Planning Commission**

Kristie Overson, Chair  
Dama Barbour  
Ted Jensen  
Scott Bolton  
Angelo Calacino  
Robert B. Daniels  
Blaine Smith  
Joan Rushton-Carlson

**Community Development Staff**

Mark McGrath, Director  
Michael Maloy, City Planner  
Nick Norris, City Planner  
Dan Udall, City Planner  
Jean Gallegos, Secretary/Recorder

**PUBLIC:** Connie Taney and four unidentified individuals.

[18:04:49](#)

**WELCOME:** **Commissioner Overson** welcomed those present, explained the procedures to be followed this evening and opened the meeting at 6:05 p.m.

**CONDITIONAL USE**

1. 44C05 **Jack Lucas, 1590-1632 West 6235 South** – Proposed Residential Planned Unit Development Containing 14 Units. (Final) (Michael Maloy, City Planner)

1.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant proposes to construct 14 town houses on 1.58 acres of property with a common point of access from 6235 South. Dwelling unit density of the proposed project is 8.9 units per acre, which is the maximum permitted for the property. The town house development will be served by a 27 foot wide road, which will be privately owned and maintained. The private road will allow on-street parking on one side only (west side) in order to ensure emergency vehicle access at all times.

**Staff recommends final approval subject to the following conditions:**

1. All conditions of preliminary approval shall remain in effect and shall be enforceable by City Staff during the course of construction and occupancy of the project unless modified or amended by permission of the City.
2. Variations in construction of approved civil engineering plans, landscaping plans, site amenities, or architectural design shall require City approval prior to occupancy and release of construction bonds.

1.2 **DISCUSSION:** **Commissioner Overson** asked Mr. Maloy for clarification on the number of staff recommendations, saying that the Commission's staff report only addressed 26 and he advised the correct number was actually 27 conditions for preliminary approval. **Commissioner Calacino** wanted clarification on building setbacks, saying it did not appear there were defined setbacks as a condition of approval and they were not specified in the preliminary approval. He wanted to know if that was an oversight in that it did not make it into the actual conditions of approval. He thought it should be similar to the project on Winchester Street where it is 15' on the perimeter in the rear, having been amended from the original 20' requirement. 18' for the garages from back of curb from the private drive and 10' to the structure from the back of curb. He noticed on this plan that there are spots where it only measures 8' from the back of curb. **Mr. Maloy** commented that it was his recollection was that there was concern about the 15' perimeter, 18' minimum depth on the driveway to the garage. It was possible that there was at one time a 10' requirement. One thing that has changed was the idea that guest parking was not included anywhere on this project, however, the Fire Department has now said that they would allow on-street parking on one side of the street if they would widen the private road to a minimum of 27', face of curb to face of curb. The applicant subsequently did that it is very possible that in the process of widening the road that is where the reduction from 10' to 8' or 9'. **Commissioner Calacino** said that it was important that specific figures be included in the Minutes and recorded on the subdivision plat as the project moves forward. **Mr. Maloy** added that the City Engineer has taken a different approach in that he wants to have only the minimum amount necessary on a plat and has been asking

applicants to remove items such as that from the plat. **Commissioner Barbour** asked what the Minutes reflect relative to the setback requirements.

1.3 **APPLICANT ADDRESS: Jack Lucas (Developer) and Wally Cooper (Architect).**

- **Mr. Lucas** advised that the road has turned out to be a significant challenge, however, he felt that he has addressed all concerns identified to him and that this project is going to be a very nice development. On the street widths and distance from the building to the street, typically what they have done is try to address the off street parking and have reviewed their present proposal with Questar, Utah Power and Qwest and they are fine with the road and felt they could adequately accommodate services into the subdivision. **Mr. Lucas** felt that moving the structures closer to the street would provide a benefit to the community.
- **Mr. Cooper** gave a slide presentation which portrayed a model of the proposed structures minus the landscaping elements. He said that was in order to better focus on the architectural elements, especially how the ends of the structures would be addressed, the porches and dining room/breakfast nook bay window areas being pulled closer to the street, the introduction of rock to the face of the buildings, etc. (he went on to describe in detail the architectural elements being proposed for these structures).
- **QUESTIONS: Commissioner Daniels** wondered if the garage doors were recessed or are the porches jutting out. **Mr. Cooper** said that there is a little bit of both; the garage doors are slightly recessed and the porches do jut out. **Commissioner Overson** observed that on the four-plex units, the side elements are very attractive and on the tri-plex units the sides aren't as inviting and she wondered why. **Mr. Cooper** explained the differences on the image screen, the main one being the tri-plex units do not have the bay windows.
- **Mr. Cooper** asked to speak to the landscape proposal and explained the types of trees to be used throughout the site. There will be color spots or annuals in the front (indicated on the image exactly where the flower beds would be planted). He also explained the proposed wrought iron fencing to be installed. He indicated that a significant amount of the budget for the site has been devoted to landscaping.

1.4 **SPEAKING:** None.

1.5 **CLOSED FOR PLANNING COMMISSION DISCUSSION OR A MOTION: Commissioner Daniels** - Before a motion is offered, I'd like to make a comment about the way things look and the way they probably will be. I am very pleased when people take into consideration plants, shrubbery and lighting, etc., so as not to harbor hiding places for people who are creeping through neighborhoods. Lots of times you get that sort of results when you consult with law enforcement or community people that have in mind that sort of prevention measures. I think we have a couple of people on the planning staff that are well versed in that and I am going to assume that the applicant has discussed these areas with them because this looks really good and I appreciate it. **Commissioner Smith** - I would like to comment that from everything that I have seen, I think it is going to be a very attractive development. **Commissioner Barbour** - I am especially pleased with the landscaping. I think that landscaping can do so much, not only for a development but for a City as a whole.

1.6 **MOTION: 18:34:00 Commissioner Barbour - I move that File #44C05 be approve with staff's 26 conditions.**

**SECOND: Commissioner Calacino**

**Commissioner Overson - We have a motion by Commissioner Barbour to approve File #44C05 based on the oral testimony we have heard this evening and the findings of fact contained in the staff report, with 26 conditions. Second was given by Commissioner Calacino.**

**VOTE: All Commissioners voted in favor with the exception of Commissioner Calacino. Motion passes 6 to 1.**

**SUBDIVISION**

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| 2. 1S06 | <b><u>Jack Lucas, 1590-1632 West 6235 South</u></b> – Final review of a residential subdivision plat containing 14 attached dwelling units. (Michael Maloy/City Planner) |
|---------|--|

18:35:49

2.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant is requesting final approval for a residential subdivision containing 14 attached dwelling units on 1.58 acres, with common open space. The property is zoned R-M Residential, which permits medium density residential development not to exceed 8.9 dwelling units per acre. **Staff is recommending final approval based on the Planning Commission preliminary approval of Application 1S06 for Bennion Overlook Town Homes Subdivision with the following conditions:**

1. All conditions of preliminary subdivision approval shall remain in effect and shall be enforceable by the City.
2. Prior to plat recordation, applicant shall submit to the City for review and approval one copy of a geo-technical report in a form acceptable to the City Engineer and Building Official.
3. Prior to plat recordation, applicant shall revise CC&R's as required by City Staff.
4. Prior to plat recordation, applicant shall submit to the City Attorney, one copy of a current title report for the subject properties.
5. Variations in construction of approved civil engineering plans shall require City approval prior to occupancy and release of bonds.
6. **[Added by Motion] Make necessary easement adjustments to the satisfaction of planning staff.**

2.2 **DISCUSSION:** **Commissioner Barbour** wanted to discuss staff's analysis when this Commission previously approved this application, there was a list of conditions. #6 reads – Amend building setback to comply with the ordinances. **Mr. Maloy** said that was correct and was when an encroachment was identified on the east side within the 15' setback. That in the staff report, he specifically stated that it was a setback of 13' on the corner unit, which was the setback amendment that was required as part of the preliminary approval of the subdivision. **Commissioner Calacino** wished to further discuss the issue of the setbacks because when he looked at the plans, the front porch area would encroach into the 8' storm drainage easement. That is a problem unless someone can show otherwise. The Conditional Use plans and Subdivision show the footprint of the building and have not taken into account the actual covered porch. **Mr. Maloy** said that the applicant could discuss that issue. The City Engineer has spent a lot of time talking with Mr. Lucas and his engineer on those issues. The City Engineer has given his approval for this project.

2.3 **APPLICANT ADDRESS:** **Jack Lucas**. **Mr. Lucas** asked Commissioner Calacino if he were referring to the area between the two three-plex units. **Commissioner Calacino** said the subdivision plan shows the storm drain easement paralleling the perimeter and that some of the units have porches that encroach into those easements. **Mr. Lucas** advised that they have given an additional easement to the various utilities for the whole street. He advised that the particular unit Commissioner Calacino was speaking about, encroaches only about 3' into that easement. **Commissioner Daniels** asked Mr. Lucas to address the problem under the scenario that it is only 3' into the easement. **Mr. Lucas** said what they could do is have a utility easement under which the utility companies would move their lines to one side. That the gas line will not be installed on that side, so won't be impacted. He believed that issue can be addressed. **Mr. Lucas** advised that he doesn't believe at this point that encroachment exists but if it turns out to be there, it can be adjusted to make it work. **Mr. Maloy** said that the plat shows an easement around the private road, specifically Chantelle Way where the wall of the building is right on the easement line, which would have the porch detail extending in to the easement. **Commissioner Calacino** said there were three locations where that problem exists but he was not sure it was of any concern if the utility companies are willing to acknowledge that the encroachment exists and to have them sign off on the plat. **Mr. Maloy** allowed that may have been an oversight, however, that the City Engineer has subsequently signed off on the site plan. **Commissioner Daniels** said his concern is that the applicant and staff recognize these problems and if they are issues, to adequately work together to deal with it appropriately.

2.4 **SPEAKING:** None.

2.5 **CLOSED FOR PLANNING COMMISSION DISCUSSION OR A MOTION:** **Commissioner Calacino** wanted to go on record saying that overall the concept is pretty good for this project. However, he does believe it is two units too dense and has advocated that from the beginning. He also felt there would be storm drainage issues come up in the future along the east side. That is why he voted against the conditional use approval. **Commissioner Smith** added that he also was under the impression that there was a drainage problem on the east side and also suggested moving a couple of the structures to the west a couple of feet. **Commissioner Barbour** asked if staff felt like they could work the easement out with the applicant and the utility companies. **Mr. Maloy** said he felt that could be done and if not, it would be brought back before the Planning Commission for further review.

2.6 **MOTION:** **Commissioner Barbour** - I move that this Commission gives final approval for File #1S06, residential subdivision, with staff recommendations being part of the approval, adding #6 that staff and the applicant review all easements to make sure that ... **Commissioner Daniels** – Might I suggest that #6 be stronger and say, "Make necessary easement adjustments to the satisfaction of planning staff." **Commissioner Barbour** - Thank you.  
**SECOND:** **Commissioner Daniels**  
**Commissioner Overson** - We have a motion by Commissioner Barbour to approve File #1S06 with staff recommendations, adding a #6 that staff and the applicant make necessary adjustments

regarding the easements to the satisfaction of the planning staff. Seconded by Commissioner Daniels.

VOTE: All in favor except Commissioner Calacino. Motion passes 6 to 1.

#### ZONING TEXT CHANGE

3. 3Z06 City of Taylorsville, 1488 West 4800 South – Taylorsville Bennion Heritage Center Museum – Historic Site. (Dan Udall/City Planner)

3.1 **Mr. Udall** oriented on the aerial map and images. The City of Taylorsville is proposing to designate the City Museum structure as a historic site. The City of Taylorsville bought the 2.5 acre site in February 2002. This application is a zoning text amendment to include this building to be listed in the Zoning Ordinance as a historic site in Taylorsville. The City recently remodeled and converted the residential home into a museum. The museum is a treasured landmark in the City and Taylorsville is currently master planning the property as a historic farm/community garden, which may include a retail store. However, at this time, the City is only requesting the museum be designated as a City historic site. **Staff recommends approval due to the following findings:**

1. The Historic Preservation Committee recommended to the City that the museum be designed as a historic site.
2. That the existing museum is an important historic resource in the community and it should be preserved and protected.
3. **[Added by Motion] Include the site address as being 1448 W. 4800 S. and include the whole 2.5 acres containing the Taylorsville-Bennion Heritage Center, formerly the Jones Dairy, for historic site designation in the Zoning Ordinance, Chapter 13.37.030.**

3.2 **APPLICANT ADDRESS:** Staff presentation.

3.3 **SPEAKING:**19:16:03 **Connie Taney** (Chairman of the Historic Preservation Committee), spoke in favor of this zoning text change

3.4 **CLOSED FOR PLANNING COMMISSION DISCUSSION OR A MOTION:**

**MOTION:** **Commissioner Jensen 19:18:19** – I would like to make a motion to forward to the City Council a positive recommendation to approve Agenda Item #3, 3Z06 and add condition #3 to include the site address as being 1448 W. 4800 S. and include the whole 2.5 acres containing the Taylorsville-Bennion Heritage Center, formerly the Jones Dairy, for historic site designation in the Zoning Ordinance, Chapter 13.37.030.

**SECOND: Commissioner Calacino.**

**Commissioner Overson** restated the motion: **19:19:43** The motion was made by Commissioner Jensen regarding File 3Z06 is to amend Chapter 13.37.030 in the Zoning Ordinance to include the whole 2.5 acre parcel at 1448 West 4800 South, the Taylorsville Bennion Heritage Center to be designated as a historic site, with a second by Commissioner Calacino. **Commissioner Jensen** - This applies to the buildings and the whole 2.5 acre parcel.

**VOTE:** All Commissioners voted in favor. Motion passes unanimously.

#### WORK SESSION

4. Discussion of Unified Code and Design Standards. (Community Development Staff)

19:21:59 **DISCUSSION:**

- **Mr. McGrath** made a short introduction saying that the City Council has established a budget to prepare a Unified Development Code. The Code will combine the chapters of the Taylorsville Code of Ordinances that relate to development into one chapter (zoning, subdivision, highways, etc.). In order to prepare for the re-write, the Community Development Department will start to introduce some concepts that may be beneficial to include in that Code. One such concept is to include design guidelines and standards for future development. **19:24:13** He advised that the objective is to update the ordinance, make it more user-friendly, more comprehensive and more consistent with existing codes and the General Plan. Also to focus on administrative review and make the development process easier and more efficient, which will allow fewer

items to be brought before the Planning Commission. In a separate study, the comprehensive fee schedule, which is very out of date, will be addressed. This project will take at least a year and a half to get through due to the complexity of it, therefore, staff plans on a general level to start introducing some of the concepts and issues that are not presently covered in development ordinances to the Planning Commission and the City Council for input and suggestions.

- **Nick Norris** [19:27:25](#) gave an introduction to what staff perceives as standards and guidelines, and displayed images and text that depict the desired pattern of development. He added that there is a difference between guidelines and standards. A guideline is typically something that is something that is a desired recommendation whereas a standard is typically adopted as ordinance.
- The meeting was opened to discussion at this point and Commissioners offered their personal views.
  1. **Commissioner Calacino** [19:42:23](#) felt it was appropriate to create districts within the City with differing identifies. He felt because Taylorsville is basically built out, that is the best way to establish its' own identity. He also commented that there needs to be a clause for non-conforming uses. [19:51:17](#) **Mr. Norris** agreed because staff is finding that people are trying to get around that with innovative ways, like leaving one existing wall in place and calling it an existing non-conforming use. **Commissioner Calacino** also expressed that lack of adequate guidance relative to landscape requirements is a big issue.
  2. **Commissioner Daniels** added the possibility of multiple district overlays with walk ability features.
  3. **Commissioner Overson** indicated this is a massive undertaking and wanted to know if there were some way to transition into this easier. **Mr. McGrath** suggested that the first element would be to establish priority goals, with the possibility of RDA projects being first, with the focus on establishing better commercial areas. Commissioner Overson also suggested a field trip for staff and commissioners to look at things approved since the City was incorporated, both the good and the bad.
  4. **Commissioner Barbour** [19:50:02](#) added that a positive concept would be to add a lot more landscaping throughout the City, especially trees.
  5. **Commissioner Smith** wanted emphasis placed on redeveloping what we already have and not focus on new development only.
  6. **Commissioner Bolton** felt the process is drug out too long and the residents get tired of attending so many meetings. [20:17:09](#) **Mr. McGrath** agreed, and added that was the main reason for wanting to clean up the process and do more work at staff level – emphasis on the front end of the process instead of the end.
- **Mr. McGrath** [20:07:11](#) thanked the Commissioners for their input and advised that staff's purpose this evening was to introduce this concept and that future meetings will be focused on identifying weaknesses in the code and policy development and introduce issues such as private lanes, private roads, density issues, etc.

**ADJOURNMENT:** By motion of **Commissioner Bolton**, the meeting was adjourned at [20:31:09](#).

Respectfully submitted by:

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Jean Gallegos, Administrative Assistant to the  
Planning Commission

Approved in meeting held March 14, 2006